

28.6612

Leaving The Scene Of An Injury Or Fatal Accident – Form Of Verdict

We, the jury, duly impaneled and sworn in the above-entitled action, upon our oaths, do find the defendant,

_____ Not Guilty

_____ Guilty

of Leaving the Scene of an Injury or Fatal Accident.

If you find the defendant guilty, then please decide whether the defendant was guilty of (check only one):

_____ Driving a vehicle involved in an accident resulting in injury to any person, other than death or serious physical injury;

OR

_____ Driving a vehicle involved in an accident resulting in the death, or serious physical injury, of any person.

If you decide that the defendant was guilty of driving a vehicle involved in an accident resulting in the death or serious physical injury of any person, please decide whether the State has proved that the defendant caused the accident:

We find that the State has (check only one)

_____ Proved that the defendant caused the accident.

OR

_____ Not proved that the defendant caused the accident.

SOURCE: A.R.S. § 28-661(B) & (C) (statutory language as of 2002).

COMMENT: The findings contained in the interrogatories determine the class of felony. "A driver who is involved in an accident resulting in death or serious physical injury as defined in A.R.S. § 13-105 and who fails to stop or to comply with the requirements of A.R.S. § 28-663 is guilty of a class 4 felony, except that if the driver caused the accident the driver is guilty of a class 3 felony." A.R.S. § 28-661(B).

"A driver who is involved in an accident resulting in an injury other than death or serious physical injury as defined in A.R.S. § 13-105 and who fails to stop or to comply with the requirements of A.R.S. § 28-663 is guilty of a class 6 felony." A.R.S. § 28-661(C).
